

**SPRINGFIELD TOWNSHIP  
BOARD OF SUPERVISORS**

9211 SUSQUEHANNA TRAIL S. SEVEN VALLEYS, PA 17360  
TELEPHONE (717) 428-1413 FAX (717) 428-2957

**JANUARY 2, 2018**

The Springfield Township Board of Supervisors met at the Township Administration Building (9211 Susquehanna Trail S, Seven Valleys, PA, 17360) at 9:00 AM on January 2, 2018, for the purpose of Organization for 2018, as well as, any other business coming before the Board.

The members present were: Mr. Tommy L. Wolfe, Mr. Adam E. Sweitzer, and Mr. Walter P. Reamer.

Attorney John D. Miller, Jr. (MPL Law Firm, LLP), Mr. David M. Davidson, Jr. (C. S. Davidson, Inc.), and Mr. Tom Shelley also attended the meeting:

The following **Newly Elected Officials** for 2018 were recognized by the Board and it was confirmed that all **Oaths of Office** have been filed with the Township Office: Mr. Tommy L. Wolfe, Supervisor; Mr. Walter P. Reamer, Supervisor; Mrs. Vickie L Allison, Tax Collector; and Mr. Trent E. Goodling, Auditor.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to elect Mr. Tommy L. Wolfe as **Chairman of the Board**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to elect Mr. Adam E. Sweitzer as **Vice-Chairman**. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to retain the same **Benefits for all Full-Time Township Employees** for 2018. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to appoint Mrs. Barbara E. Sweitzer as **Secretary / Treasurer**. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining.

Mr. Wolfe noted Township employees did not receive a raise in 2017. (Mr. Adam Sweitzer did receive a \$0.50 per hour increase in 2017 as agreed to when he was hired in 2016.) Mr. Wolfe suggested increasing employee compensation in accordance with the 2% increase approved by the Social Security Administration for 2018.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to **Establish Compensation** for the Township Secretary / Treasurer at \$61,200.00 per year with **Benefits** as previously established for Full-Time Township Employees. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to appoint Mrs. Carol R. Sechrist as **Full-Time Assistant to the Secretary / Treasurer**. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Adam E. Sweitzer seconded to **Establish Compensation** for the **Full-Time Assistant to the Secretary / Treasurer** at \$24.50 per hour with **Benefits** as previously established for Full-Time Township Employees. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to adopt ***Resolution #2018-01*** to **Designate Peoples Bank as Depository** for township funds. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to establish the **Treasurer's Bond Limit** at \$2,000,000.00 for 2018. (A copy of the Bond will be filed with the Board of Auditors.) The vote of the Board was unanimous.

Mr. Walter P. Reamer motioned and Mr. Adam E. Sweitzer seconded to appoint Mr. Tommy L. Wolfe as **Voting Delegate to the 2018 State Convention**. The vote of the Board was unanimous.

**NOTE:**The 2018 Convention is scheduled for April 22nd through April 25th. Supervisors and the Secretary/Treasurer may attend the State Convention. Attendees will be reimbursed for the following expenses: Registration Fees, Lodging, Meals, and Mileage. Township Employees will be compensated at their normal hourly/salaried rate while attending the convention.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to appoint Mr. Barry L. Sweitzer as **Full-Time Township Employee / Road Foreman**. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to **Establish Compensation** for Mr. Barry L. Sweitzer as **Full-Time Township Employee / Road Foreman** at \$24.75 per hour with **Benefits** as previously established for Full-Time Township Employees. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to appoint Mr. Tommy L. Wolfe as **Road Master / Full-Time Township Employee / Assistant Road Foreman** for 2018. The vote of the Board resulted in two ayes with Mr. Wolfe abstaining.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to request the Board of Auditors to **Establish Compensation** for Mr. Tommy L. Wolfe as **Road Master / Full-Time Township Employee / Assistant Road Foreman** at \$23.50 per hour with **Benefits** as previously established for Full-Time Township Employees. The vote of the Board resulted in two ayes with Mr. Wolfe abstaining. **(On January 3, 2018, the Board of Auditors established Mr. Wolfe's compensation at \$23.25 per hour.)**

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to appoint Mr. Adam E. Sweitzer as **Road Master / Full-Time Township Employee**. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining.

Mr. Wolfe explained, when Mr. Sweitzer was hired in 2016, it was agreed to increase his pay by an additional \$0.50 per hour per year until his compensation came in line with the other Road Master / Full-Time Township Employee. Therefore, Mr. Sweitzer's pay increase for 2018 would be \$1.00 per hour.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to request the Board of Auditors to **Establish Compensation** for Mr. Adam E. Sweitzer as **Road Master / Full-Time Township Employee** at \$21.50 per hour with **Benefits** as previously established for Full-Time Township Employees. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining. **(On January 3, 2018, the Board of Auditors established Mr. Sweitzer's compensation at \$21.00 per hour.)**

Mr. Reamer clarified that the number of hours he worked as a paid Part-Time Township Employee for 2017 was zero. The purpose of this appointment is strictly for Worker's Compensation liability purposes. Mr.

Reamer further stated he has no intention of working for the Township unless there is some type of an emergency.

Mr. Tommy L. Wolfe motioned and Mr. Adam E. Sweitzer seconded to appoint Mr. Walter P. Reamer as **Road Master / Part-Time Township Employee**. The vote resulted in two ayes with Mr. Reamer abstaining.

Mr. Tommy L. Wolfe motioned and Mr. Adam E. Sweitzer seconded to request the Board of Auditors to **Establish Compensation** for Mr. Walter P. Reamer as **Road Master / Part-Time Township Employee** at \$20.00 per hour with **Benefits** as applicable to Part-Time Township Employees. The vote of the Board resulted in two ayes with Mr. Reamer abstaining. **(On January 3, 2018, the Board of Auditors approved the Board's request.)**

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Mr. Curtis Ferree as **Part-Time Township Employee with a CDL License**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to establish Mr. Ferree's **Compensation as Part-Time Township Employee with a CDL License** at \$18.00 per hour for snow removal/ice control and at \$17.50 per hour for all other work. The vote of the Board was unanimous.

In response to Mr. Reamer's question, Attorney Miller indicated there is no reason why Mr. Reamer's compensation for Road Master cannot be established at the minimum wage rate in 2019.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to appoint the following individuals as **Part-Time Township Employees**: Mr. Paul Beck, Mr. Edward Wagner, Mr. John Krone, Jr., Mr. Mark Sweitzer, and Mr. Rob Knaub. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to establish **Compensation** for **Part-Time Township Employees with a CDL License** at \$18.00 per hour for snow removal/ice control; and, to establish **Compensation for Part-Time Township Employees without a CDL License** at \$15.00 per hour for snow removal/ice control. The vote of the Board was unanimous.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to appoint Mr. Tommy L. Wolfe and Mrs. Barbara E. Sweitzer as **Designated Employer Representatives** to the **Wellspan Occupational Health CDL Consortium**. The vote of the Board was unanimous.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to appoint Attorney John D. Miller, Jr. / MPL Law Firm, LLP as **Legal Counsel** for the Township. The vote of the Board was unanimous.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to **Establish Compensation for Attorney John D. Miller / MPL Law Firm, LLP as Legal Counsel** at \$130.00 per hour with a paralegal rate of \$105.00 per hour as provided for in the 2018 Fee Agreement. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Mr. David M. Davidson, Jr. / C. S. Davidson, Inc. as **Township Engineer** with **Compensation** as provided for in the current Contract. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Mr. Adam Smith / C. S. Davidson, Inc. as the Township's **Floodplain Administrator** with **Compensation** as provided for in the current Contract with C. S. Davidson, Inc. The vote of the Board was unanimous.

It was noted there would be no changes to the current **Fee Schedule for Sewage Enforcement** as previously established by **Resolution #2016-02**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Mr. David Brown / Gordon L. Brown & Associates, Inc. as **Sewage Enforcement Officer** and to establish **Compensation** as set forth in **Resolution #2016-02**. The vote of the Board was unanimous.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to approve the Code Administration Agreement with South Penn Code Consultants LLC thereby appointing Mr. Keith Hunnings, Mr. Eric Swiger, and Mr. Jeremy Kertstetter as **Alternate Sewage Enforcement Officers** and to establish **Compensation** as set forth in **Resolution #2016-02**. The vote of the Board was unanimous.

**NOTE: The Alternate Sewage Enforcement Officer will enforce the On-Lot Management System.**

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to appoint the York County Planning Commission as **Planning Consultant** for the Township. The vote of the Board was unanimous.

Mr. Reamer questioned whether the Township Zoning Officer was ever certified?

Attorney Miller noted, according to his recollection, Mr. Lehman was appointed Zoning Officer and was going to be the Building Code Official (BCO) for the Township; however, he has not passed the BCO test to be certified.

Mr. Reamer noted there is also a certification test for Zoning Officers. Mr. Reamer expressed some concern about Mr. Lehman's performance as Zoning Officer and suggested that this may be a discussion for another time.

Mr. Sweitzer agreed that there have been several situations over the last year that have raised some concerns.

There was no further discussion at this time.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to appoint Mr. Edward Lehman as **Part-Time Zoning Officer**. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to **Establish Compensation for Mr. Lehman as Part-Time Zoning Officer** at \$23.10 per hour with **Benefits** as applicable to Part-Time Township Employees plus reimbursement for mileage for the use of a personal vehicle at the applicable federal rate. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to approve **Resolution #2018-02** to appoint Mr. Norman Strenger, Jr. (Code Administrators, Inc.) as **Building Code Official**; to appoint Jason L. Stevens (Code Administrators, Inc.) as **Alternate Building Code Official**; and, to authorize the execution of the 2018 Contract for Services to designate Code Administrators, Inc. as **Code Administrator/Construction Code Official** and to **Establish Fees and Compensation** as set forth in the Resolution (Exhibits A and B) and the Contract. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Mrs. Angela Fowler as **Part-Time Office Manager for the STYCSA**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to establish **Compensation** for Mrs. Angela Fowler as **Part-Time Office Manager for the STYCSA** at \$37,887.00 per year plus reimbursement for mileage for the use of a personal vehicle at the applicable Federal Rate with **Benefits** as applicable to Part-Time

Township Employees; and, to approve a \$500.00 Christmas Bonus for Mrs. Fowler per the STYCSA's letter dated December 27, 2018. The vote of the Board was unanimous.

**Note: All payroll expenses relative to the STYCSA's Office Manager will be billed to and reimbursed by the STYCSA.**

Mr. Adam E. Sweitzer moved and Mr. Walter P. Reamer seconded to approve a **Job Description / Contract** to appoint Mr. Kim Erdman as **Animal Control Officer** and to establish his **Compensation** at \$275.00 per Month plus RTO Fees. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to appoint Mr. Barry Sweitzer as **Chairman** to the **Vacancy Board**. The vote of the Board resulted in two ayes with Mr. Adam Sweitzer abstaining.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to appoint Mr. Tommy L. Wolfe as **Representative** to the **York Adams Tax Bureau** and to appoint Mr. Adam E. Sweitzer as **Alternate**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to appoint Mr. Tommy L. Wolfe as the **Voting Delegate** to the **York County Tax Collection Committee** and to appoint Mr. Adam E. Sweitzer as **Alternate**. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Adam E. Sweitzer seconded to appoint Mr. Walter P. Reamer as **Representative** to the **Local Government Advisory Committee** and to appoint all Planning Commission Members to serve as **Alternates**. The vote of the Board was unanimous. (Meeting attendance is limited to the Representative plus any two Alternates.)

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Mr. Tommy L. Wolfe as **Representative** to the **York County Regional Chesapeake Bay Pollutant Reduction Plan Regional Committee** and Mrs. Lori L. Starz as **Alternate**. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to appoint Mr. John Krone, Jr. and Mr. Terry Doll to the **Loganville-Springfield Zone Emergency Management Agency**. The vote of the Board was unanimous.

Mr. Walter P. Reamer motioned and Mr. Adam E. Sweitzer seconded to reappoint Mr. John Stough to a three (3) year term on the **Zoning Hearing Board**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to appoint Attorney Victor Neubaum (Malone & Neubaum) as **Legal Counsel** for the **Zoning Hearing Board**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to establish **Compensation** for the **Legal Counsel** for the **Zoning Hearing Board** at \$130.00 per hour with a paralegal rate of \$105.00 per hour. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to reappoint Dr. David Neuburger and Mr. Michael Hanson to four (4) year terms on the **Springfield Township Planning Commission**. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to reappoint Mr. Kristofer Baumgartner to a two (2) year term on the JLS Recreation Association. The vote of the Board was unanimous.

No action was taken to fill the Vacancy on the JLS Recreation Association.

Mr. Walter P. Reamer moved and Mr. Tommy L. Wolfe seconded to appoint Mr. Tommy L. Wolfe and Mr. Adam E. Sweitzer as Alternates to the JLS Recreation Association. The vote of the Board was unanimous.

Mr. Tommy L. Wolfe motioned and Mr. Walter P. Reamer seconded to reaffirm Mr. Tommy L. Wolfe as the "Supervisor" member, Mr. John Stough as the "Resident" member, and Mrs. Nancy E. Mummert, Mrs. Joyce A. Bupp and Mr. Mervin Hertzler as the "Farmer" members on the Springfield Township Agricultural Area Advisory Committee. The vote of the Board was unanimous.

There are no vacancies on the Springfield Township, York County, Sewer Authority (STYCSA). It was noted that Mr. Michael Burakow, who was appointed to the Authority in July 2017, must take the Oath of Office.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to designate the PA State Police as Police for the Township. The vote of the Board was unanimous.

Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to execute the Agreements with the Local Fire Companies with a total annual donation of \$60,000.00 for 2018. The vote of the Board was unanimous.

Mr. Walter P. Reamer motioned and Mr. Adam E. Sweitzer seconded to execute the Agreements with the Local Emergency Medical Service Providers with a total annual donation of \$12,000.00 for 2018. The vote of the Board was unanimous.

After reviewing the 2018 calendar, Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to schedule regular monthly Meeting Dates for 2018 as follows: At 7:00 PM on February 12, March 12, April 9, May 14, June 11, July 9, August 13, September 10, October 8, November 12, and December 3, and at 9:00 AM on December 28. All meetings will be held in the Township Administration Building (9211 Susquehanna Trail S, Seven Valleys, PA, 17360). The vote of the Board was unanimous.

**This concluded the 2018 Organization portion of the meeting.**

#### **ORDINANCE NO. 2018-01**

##### **AMENDING THE SPRINGFIELD TOWNSHIP PENSION PLAN**

Attorney Miller reviewed the proposed Ordinance to Amend the Springfield Township Pension Plan.

Following the discussion, Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to approve *Ordinance No. 2018-01* to amend the Springfield Township Pension Plan as administered by the Contract with the Pennsylvania Municipal Retirement System. The vote of the Board was unanimous.

#### **RESOLUTION #2018-03**

##### **OPPOSING THE WIRELESS INFRASTRUCTURE DEPLOYMENT BILL (HB 1620)**

Attorney Miller explained this Bill would eliminate the Township's authority or control over wireless

**RESOLUTION #2018-03 CONT'D.**

**OPPOSING THE WIRELESS INFRASTRUCTURE DEPLOYMENT BILL (HB 1620)**

facilities within and outside the public rights-of-way. The Bill would also interfere with the regulations in the Township Zoning Ordinance.

Mr. Shelley stated this Bill could help everyone with technology.

Attorney Miller agreed. However, under this Bill, instead of using towers, the wireless companies would be allowed to place large antennas in the right-of-way without Township approval. While no one is opposed to having improved communications, under this Bill, the Township would have no control.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to approve *Resolution #2018-03* to Oppose the Wireless Infrastructure Deployment Bill (House Bill 1620). The vote of the Board was unanimous.

**TRI-H ENTERPRISES LLC – PRELIMINARY / FINAL LAND DEVELOPMENT PLAN**

It was noted the conditional approval of Tri-H Enterprises, LLC's Preliminary / Final Land Development Plan will expire on January 7, 2018.

Hearing no discussion, Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to extend the approval of Tri-H Enterprises, LLC's Preliminary / Final Land Development subject to the original Conditions: 1) Owner's Notarized Signature, 2) Posting of Financial Security, and 3) York County Conservation District's approval. This extension will expire on April 9, 2018. The vote of the Board was unanimous.

**ESTABLISH SPEED LIMITS, STOP SIGNS, AND NO PARKING ON NEWLY ADOPTED STREETS IN THE LOGAN'S RESERVE DEVELOPMENT**

Mr. Tommy L. Wolfe motioned and Mr. Adam E. Sweitzer seconded to consider an Ordinance to establish Speed Limits, Stop Signs, and No Parking areas on the newly adopted streets in the Logan's Reserve Development at 8:00 PM on February 12, 2018. The vote of the Board was unanimous.

**LOGAN'S RESERVE DEVELOPMENT, LLC – REQUEST FOR SURETY REDUCTIONS**

On December 4, 2017, Mr. Cole Schnorf (Logan's Reserve Development, LLC) agreed to submit a letter to the Township agreeing to post a separate \$100,000.00 Performance Bond that would be kept in place thru the 2 (two) year maintenance period for the walking trails in the Logan's Reserve Development . That letter has not been received by the Township. Also, the Township has not received a Corrected Final Plan from Site Design Concepts, Inc.

Mr. Davidson explained, due to the time limitations, the Board must take action on the request for Surety Reductions at today's meeting.

Mr. Adam E. Sweitzer moved and Mr. Walter P. Reamer seconded to deny the requests for Surety Reductions for Phase 2A and Phase 2B. The vote of the Board was unanimous.

**REVIEW OF SURETY / BOND**

**SENECA RIDGE / PHASE 200A – 203**

There has been no response from Mr. Tim Pasch regarding the request to increase the Surety for Phase 200A – 203 of the Seneca Ridge Development.

Mr. Adam E. Sweitzer moved and Mr. Walter P. Reamer seconded to authorize Attorney Miller to forward a Certified / Return Receipt letter to Mr. Tim Pasch regarding the requirement to increase the amount of the Surety currently held by the Township. The vote of the Board was unanimous.

**JACOBUS LIONS CLUB, INC. – 5K FUN RUN / WALK**

The Secretary reported it was clarified with Mr. Brad Ream (Jacobus Lions Club, Inc. - Club) that the Club is requesting to occupy School Road, Ensminger Drive, Monarch Drive, Beck Road, and Water Street;

### **JACOBUS LIONS CLUB, INC. – 5K FUN RUN / WALK CONT'D.**

and, that they would like to have School Road closed from the Susquehanna Trail to Franklin Street from 12:30 PM until 3:00 PM for the 5K Fun Run / Walk. The Club is also asking that the Township request permission to use the following Fire Police for traffic control: Jacobus Borough Fire Police, Loganville Borough Fire Police, Glen Rock Borough Fire Police, and North Hopewell-Winterstown Fire Police.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to approve the Jacobus Lions Club, Inc.'s request to occupy School Road, Ensminger Drive, Monarch Drive, Beck Road, and Water Street; and, to approve the closure of School Road from the Susquehanna Trail to Franklin Street from 12:30 PM until 3:00 PM for the 5K Fun Run / Walk on April 8, 2018. The vote of the Board was unanimous.

Mr. Walter P. Reamer moved and Mr. Adam E. Sweitzer seconded to request permission for the following Fire Police to provide traffic control for the 5K Fun Run / Walk on April 8, 2018: Jacobus Borough Fire Police, Loganville Borough Fire Police, Glen Rock Borough Fire Police, and North Hopewell-Winterstown Fire Police. The vote of the Board was unanimous.

### **REVIEW OF SURETY / BOND – T-MOBILE**

Attorney Miller stated the new Bond and the reimbursement for costs have not been received from T-Mobile as yet. As soon as both items are received, the Complaint will be withdrawn as directed at the December 28, 2017, meeting.

### **DRIVEWAY ACCESS PROBLEMS – SUSQUEHANNA TRAIL (SOUTH OF THE BECK ROAD AND SEMINOLE ROAD INTERSECTION)**

Attorney Miller explained the property with the 20 (twenty) foot dedicated right-of-way shown on the Seneca Ridge Subdivision Plan was transferred to the Home Owner's Association (HOA) in 2007. Also, there are no rights-of-way in the deeds for the adjoining properties. The Plan does not say if the right-of-way was for the HOA or the adjoining property owners. Attorney Miller agreed to research whether the adjoining property owners would have a right to use that right-of-way.

Mr. Davidson noted the offer of dedication on the approved Plan is still active. It seems that the Township would now be working with the HOA and not Mr. Pasch.

Mr. Wolfe suggested that the property owners along the Susquehanna Trail could construct the rear access on their own lots.

Mr. Reamer stated it seems that what the property owners actually want is a moving target.

Mr. Wolfe and Mr. Sweitzer agreed that what they want is a rear access road.

Attorney Miller and Mr. Wolfe noted at one time, the School District was talking to Mrs. Nease about a rear access for her property.

Attorney Miller stated the property owners could give each other a right-of-way to provide rear access to their properties.

In response to Mr. Reamer's question, Mr. Davidson explained the Township could have adopted a portion of the right-of-way.

Attorney Miller added if the Township adopted any of the right-of-way and then abandoned it, the property would go back to the HOA.

Following the discussion, Attorney Miller agreed to continue looking into this matter.

### **LOGAN'S RESERVE DEVELOPMENT – CURBS / STREET TREES PROPOSED SIDEWALK ORDINANCE**

Attorney Miller stated it appears that the street trees may belong to the Township because they are located within the Township right-of-way. If that is the case, the Township could remove the trees. The sidewalks are also located within the Township right-of-way. However, there is a specific section of the 2<sup>nd</sup> Class Township Code that states after a Sidewalk Ordinance is passed, the Township can force the property



**LOGAN'S RESERVE DEVELOPMENT – CURBS / STREET TREES CONT'D.**  
**PROPOSED SIDEWALK ORDINANCE**

owners to maintain the sidewalks. The Home Owners Association By-Laws states that the property owners are responsible for the maintenance of the sidewalks. The property owners are arguing that the sidewalks are not on their lots.

Mr. Davidson noted, under the SALDO, street trees must be located 5 (five) feet outside the Township right-of-way.

Mr. Reamer stated the Township could take the position that we don't care who maintains the sidewalks - as long as it isn't the Township. Then, if the property owners like their trees, they could keep them as long as they maintain the sidewalks.

Mr. Wolfe stated the Silver Maple Trees on Silver Maple Circle are eventually going to damage the roads. The trees are already interfering with the use of large snow removal equipment. The areas where they put in deep rooted trees should not be a problem.

Attorney Miller noted, at some point, the residents should be notified that this situation must be addressed.

Following the discussion, it was agreed that the Board should consider holding a Special Meeting with representatives from the HOA.


It was agreed to continue this discussion at the February 12, 2018, meeting.

**EXECUTIVE SESSION**

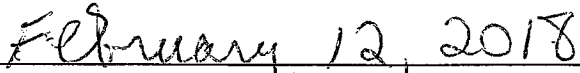
The Board members agreed to conduct an Executive Session immediately following today's meeting to discuss personnel matters and potential litigation.

**ADJOURNMENT**

There being no further business, Mr. Adam E. Sweitzer motioned and Mr. Walter P. Reamer seconded to adjourn (10:37 AM) and to meet again at 7:00 PM on February 12, 2018, for the purpose of the next regular monthly meeting. The vote of the Board was unanimous.

  
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Submitted by: **Barbara E. Sweitzer, Secretary**

  
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**Tommy L. Wolfe, Chairman**

  
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**Approval Date**